

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)		
)		
Maher M. Hawash, et al.)	Examiner:	Unassigned
)		
Serial No.: 10/039,120)	Art Unit:	2166
)		
Filed: January 4, 2002)		
)		
For: REAL-TIME PRESCRIPTION RENEWAL)		
TRANSACTION ACROSS A NETWORK)		
<u>BOX MISSING PARTS</u>			
Assistant Commissioner for Patents			
Washington, D.C. 20231			

DECLARATION OF JAMES H. SALTER

Dear Sir:

I, James H. Salter, having personal knowledge of the facts set forth herein, hereby declare as follows:

1. I am the Attorney of Record and a member of the law firm of record, Blakely, Sokoloff, Taylor & Zafman LLP, for the above-identified patent application entitled " REAL-TIME PRESCRIPTION RENEWAL TRANSACTION ACROSS A NETWORK".
2. The above-identified patent application names the inventors as: Maher M. Hawash, Rohan Coelho, Karl Allen, and Michael J. Payne.
3. The above-identified patent application was filed with an un-signed Inventor Declaration and Power of Attorney form at the U.S. Patent Office on January 4, 2002.
4. On March 28, 2002, I received a "Notice to File Missing Parts of Nonprovisional Application (Filing Date Granted) with a mailing date of March 19, 2002.
5. In order to timely respond to the March 19, 2002 Notice to File Missing Parts, a number of attempts and diligent efforts have been made to obtain inventors Maher M. Hawash,

Rohan Coelho, and Karl Allen's signatures on the Inventor Declaration and Power of Attorney form for the above-referenced patent application, specifically:

- (1) On September 18, 2001, an associate attorney at Blakely, Sokoloff, Taylor & Zafman LLP, Lisa Benado, sent by Express Mail a final draft patent application, an Inventor Declaration and Power of Attorney form, and an Assignment to inventor Maher M. Hawash at the following address:

Maher M. Hawash
2642 NE Aurora Drive
Hillsboro, OR 97124

By cover letter, Ms. Benado asked Mr. Hawash to review the patent application, to sign the Inventor Declaration and Power of Attorney form and Assignment, and to return the signed forms to her in the self-addressed stamped envelope provided. Ms. Benado advised Mr. Hawash that the patent application would be filed on September 28, 2001. Mr. Hawash did not respond. (Supporting document included as Exhibit A)

- (2) On November 8, 2001, I instructed my administrative assistant, Barbara Skliba, to send by Federal Express to inventor Maher M. Hawash a patent application draft at the following address:

Maher M. Hawash
2642 NE Aurora Drive
Hillsboro, OR 97124

By cover letter, I asked Maher M. Hawash to review the patent application draft and to provide comments to me by November 19, 2001. I advised Mr. Hawash that I planned to file the application on November 21, 2001. I did not receive a response to my letter. (Supporting document included as Exhibit B)

- (3) On April 19, 2002, I instructed my administrative assistant, Barbara Skliba, to send by Federal Express an Inventor Declaration and Power of Attorney form, and an Assignment to Maher M. Hawash at the following address:

Maher M. Hawash
2642 NE Aurora Drive
Hillsboro, OR 97124

By cover letter, I asked Mr. Hawash to sign the Inventor Declaration and Power of Attorney form and the Assignment and return the signed forms to me in the prepaid Federal Express envelope provided. Mr. Hawash did not respond.

(Supporting document included as Exhibit C)

- (4) On May 20, 2002, I instructed my administrative assistant, Claire Wallters, to send by Federal Express to inventor Maher M. Hawash a copy of the filed patent application, an Inventor Declaration and Power of Attorney form, and an Assignment to the following address:

Maher M. Hawash
2642 NE Aurora Drive
Hillsboro, OR 97124

By cover letter, I asked Mr. Hawash to sign the Inventor Declaration and Power of Attorney form and the Assignment, and return them to me in the prepaid Federal Express envelope provided. I did not receive a response. (Supporting document included as Exhibit D)

- (5) On September 18, 2001, an associate attorney at Blakely, Sokoloff, Taylor & Zafman LLP, Lisa Benado, sent by Express Mail a final draft patent application, an Inventor Declaration and Power of Attorney form, and an Assignment to inventor Rohan Coelho at the following address:

Rohan Coelho
14949 NW West Union Road
Portland, OR 97229

By cover letter, Ms. Benado asked Mr. Coelho to review the patent application, to sign the Inventor Declaration and Power of Attorney form and Assignment, and to return the signed forms to her in the self-addressed stamped envelope provided. Ms. Benado advised Mr. Coelho that the patent application would be filed on September 28, 2001. Mr. Coelho did not respond. (Supporting document included as Exhibit E)

- (6) On November 8, 2001, I instructed my administrative assistant, Barbara Skliba, to send by Federal Express to inventor Rohan Coelho a patent application draft at the following address:

Rohan Coelho
14949 NW West Union Road
Portland, OR 97229

By cover letter, I asked Mr. Coelho to review the patent application draft and to provide comments to me by November 19, 2001. I advised Mr. Coelho that I planned to file the application on November 21, 2001. I never received a response to my letter. (Supporting document included as Exhibit F)

- (7) On April 19, 2002, I instructed my administrative assistant, Barbara Skliba, to send by Federal Express an Inventor Declaration and Power of Attorney form, and an Assignment to Rohan Coelho at the following address:

Rohan Coelho
14949 NW West Union Road
Portland, OR 97229

By cover letter, I asked Mr. Coelho to sign the Inventor Declaration and Power of Attorney form and the Assignment, and to return the signed forms in the prepaid Federal Express envelope provided. Mr. Coelho did not respond. (Supporting document included as Exhibit G)

- (8) On May 20, 2002, I instructed my administrative assistant, Claire Wallters, to send by Federal Express to inventor Rohan Coelho a copy of the filed patent application, an Inventor Declaration and Power of Attorney form, and an Assignment to the following address:

Rohan Coelho
14949 NW West Union Road
Portland, OR 97229

By cover letter, I asked Mr. Coelho to sign the Inventor Declaration and Power of Attorney form and the Assignment and return the forms to me in the pre-paid Federal Express envelope provided. I did not receive a response. (Supporting document included as Exhibit H)

- (9) On September 18, 2001, an associate attorney at Blakely, Sokoloff, Taylor & Zafman LLP, Lisa Benado, sent by Express Mail a final draft patent application, an Inventor Declaration and Power of Attorney form, and an Assignment to inventor Karl Allen at the following address:

Karl Allen
3732 SW Dosch Court
Portland, OR 97221

By cover letter, Ms. Benado asked Mr. Allen to review the patent application, to sign the Inventor Declaration and Power of Attorney form and Assignment, and to return the signed forms to her in the self-addressed stamped envelope provided. Ms. Benado advised Mr. Allen that the patent application would be filed on September 28, 2001. (Supporting document included as Exhibit I)

- (10) On September 24, 2001, Karl Allen returned a signed Inventor Declaration and Power of Attorney form and a signed Assignment to Lisa Benado. (Supporting document included as Exhibit J)

- (11) On November 8, 2001, I instructed my administrative assistant, Barbara Skliba, to send by Federal Express to inventor Karl Allen a final patent application draft at the following address:

Karl Allen
3732 SW Dosch Court
Portland, OR 97221

By cover letter, I asked Mr. Allen to review the patent application draft and to provide comments to me by November 19, 2001. I advised Mr. Allen that I planned to file the application on November 21, 2001. I did not receive a response to my letter. (Supporting document included as Exhibit K)

- (12) On May 1, 2002, I instructed my administrative assistant, Claire Wallters, to send by Federal Express to inventor Karl Allen a copy of the filed patent application, an Inventor Declaration and Power of Attorney form, and an Assignment to the following address:

Karl Allen
3732 SW Dosch Court
Portland, OR 97221

By cover letter, I asked Mr. Allen to sign the Inventor Declaration and Power of Attorney form and the Assignment and return the signed forms to me in the pre-paid Federal Express envelope provided. I did not receive a response. (Supporting document included as Exhibit L)

- (13) On September 18, 2001, an associate attorney at Blakely, Sokoloff, Taylor & Zafman LLP, Lisa Benado, sent by Express Mail a final draft patent application, an Inventor Declaration and Power of Attorney form, and an Assignment to inventor Michael J. Payne at the following address:

Michael J. Payne
INTEL CORPORATION
1165 NW Amber Glen Parkway

#AG6-611
Beaverton, OR 97006

By cover letter, Ms. Benado asked Mr. Payne to review the patent application, to sign the Inventor Declaration and Power of Attorney form and Assignment, and to return the signed forms to her in the self-addressed stamped envelope provided. Ms. Benado advised Mr. Payne that the patent application would be filed on September 28, 2001. (Supporting document included as Exhibit M)

- (14) On September 24, 2001, Michael J. Payne returned a signed Inventor Declaration and Power of Attorney form and a signed Assignment to Lisa Benado. (Supporting document included as Exhibit N)
- (15) On April 19, 2002, I instructed my administrative assistant, Barbara Skliba, to send to Michael J. Payne and Karl Allen an Inventor Declaration and Power of Attorney form and an Assignment to the following address:

Michael J. Payne
Karl Allen
INTEL CORPORATION
1165 NW Amber Glen Parkway
#AG6-611
Beaverton, OR 97006

By cover letter, I asked Mr. Payne and Mr. Allen to sign the Inventor Declaration and Power of Attorney form and Assignment, and to return the signed forms to me in the pre-paid Federal Express envelope provided. (Supporting document included as Exhibit O)

- (16) The executed forms were returned to me by Michael J. Payne with Mr. Payne's signature and without Karl Allen's signature. (Supporting documents included as Exhibit P)
- (17) Maher M. Hawash's last known address is:

Maher M. Hawash
2642 NE Aurora Drive
Hillsboro, OR 97124

- (18) Rohan Coelho's last known address is:

Rohan Coelho
14949 NW West Union Road
Portland, OR 97229

- (19) Karl Allen's last know address is:

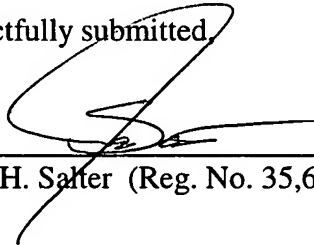
Karl Allen
3732 SW Dosch Court
Portland, OR 97221

- (20) I believe I have made diligent efforts to reach the joint inventors who have refused to join in an application for patent.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with knowledge that willful, false statements and the like may jeopardize the validity of the application, or any patent resulting therefrom.

Respectfully submitted,

Date: 6/19/, 2002



James H. Salter (Reg. No. 35,668)

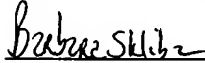
12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to BOX MISSING PARTS, Assistant Commissioner for Patents, Washington, D.C. 20231 on June 19, 2002.

Barbara Skliba

Name of Person Mailing Correspondence



Signature of Person Mailing Correspondence